

RULE 63 (37 C.F.R. 1.63)
**INVENTOR'S DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM OF UNLOADING CONTENTS OF A CONTAINER

the specification of which (check applicable box(es)):

☐ is attached hereto☒ was filed on September 22, 2003

as U.S. Application Serial No. 10/685,353

(Atty. Dkt. No. 47-197)

☐ was filed as PCT International application No.

on

and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number

Country

Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number

Date/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT International applications listed above or below:

Prior U.S./PCT Application(s):

Application Serial No.

Day/Month/Year Filed

Status: patented
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint Nixon & Vanderhye P.C., telephone number 703-816-

4000 (to whom all communications are to be directed) and the attorneys of: **Customer Number 23117**, individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent. I also authorize Nixon & Vanderhye to add or delete attorneys from that Customer Number, and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1. Inventor's Signature: [Signature] Date: 13/01/04
Inventor: Clinton David Pinner Burleigh
(first) (last)
Residence: (city) Marsfield, New South Wales (state/country) Australia
Mailing Address: 24 Menzies Road, Marsfield, New South Wales, Australia
(Zip Code) 2122

2. Inventor's Signature: [Signature] Date: 13.01.04
Inventor: Brian Leslie Watson
(first) (last)
Residence: (city) West Meadows, Victoria (state/country) Australia
Mailing Address: 3 Rosella Court, West Meadows, Victoria, Australia
(Zip Code) 3049

[] See attached sheet(s) for additional inventor(s) information!!

Applicant or Patentee: BURLEIGH et al Attorney's Dkt. No. 47-197
 Serial or Patent No.: 10/665,353
 Filed or Issued: September 22, 2003
 For: METHOD AND SYSTEM OF UNLOADING CONTENTS OF A CONTAINER
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS [37 CFR 1.27(a)(2)] - SMALL BUSINESS CONCERN

I hereby declare that I am

☐
☒

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN CONTROL AUTOMATION PTY LTD and KOCKUMS BULK SYSTEMS PTY LTD
 ADDRESS OF CONCERN 141 Bamfield Road, West Heidelberg, Victoria, Australia 3081 and
139 Bamfield Road, West Heidelberg, Victoria, Australia 3081

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.802, and in 37 CFR 1.27(a)(2), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

METHOD AND SYSTEM OF UNLOADING CONTENTS OF A CONTAINER

by inventors BURLEIGH et al described in

☐ the specification filed herewith.

☐ application Serial No. 10/665,353, filed September 22, 2003

☐ patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each person, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person who could not qualify as a person under 37 CFR 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Name _____

Address _____

☐ Person

☐ Small Business Concern

☐ Nonprofit Organization

Name _____

Address _____

☐ Person

☐ Small Business Concern

☐ Nonprofit Organization

*Separate verified statement is requested from each person, concern or organization named immediately above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.27(g)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INDIVIDUAL SIGNING Ivan R Price

TITLE IN ORGANIZATION mb / Control Automation Pty Ltd

ADDRESS OF INDIVIDUAL SIGNING 139 BAMFIELD RD, WEST HEIDELBERG

SIGNATURE [Signature] DATE 13/01/04